

January 20, 2005
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REMARKS/DISCUSSION OF ISSUES

Applicants thank the Examiner for her many courtesies shown in the interview of January 14, 2005. Applicants are pleased that the Examiner agreed with their counsel that *Gundewar* does not disclose each element of the claimed invention, and agreed to further examine this application. Per an agreement reached during the interview, Applicants submit this written summary of their arguments.

Claims 1-22. Claims 1-22 were rejected under 35 U.S.C. §102(e) as being anticipated by *Gundewar*. The Applicant responds to this rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112. The rejection of claims 1-22 is traversed.

To warrant this §102(e) rejection of pending claims 1-22, *Gundewar* must show each and every limitation of claims 1-22 in as complete detail as is contained in claims 1-22. See, MPEP §2131. *Gundewar* does not disclose and teaches away from the claimed terms “providing a readiness category rating for the readiness category” and “conducting a project assessment as a function of the decision process” as recited in claims 1, 9, and 16.

Specifically, *Gundewar* discloses a system and method for implementing project procedures. To this end, *Gundewar* teaches methods of guidelines to be used when completing a step or action of a project and methods of evaluating risk factors during the decision process. *See*, *Gundewar* column 5 lines 20-40, column 6 lines 50-67, and column 7 lines 23-37.

Gundewar does not disclose “providing a readiness category rating for the readiness category” as claimed in claims 1, 9, and 16. The Examiner’s citation to column 6, lines 50-67 is misplaced, as that section only discusses methods for applying policies and standards in a database of policies and standards. *Gundewar* simply does not disclose providing a readiness category rating for a readiness category.

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Additionally *Gundewar* does not disclose conducting a project assessment as a function of the decision process. At most, *Gundewar* discloses evaluating risk factors during the decision process, but not "conducting a project assessment as a function of the decision process" as recited in claims 1, 9, and 16. An assessment is conducted after an event, in order to judge the event, using *hindsight*. In contrast, evaluating a risk factor is an estimation of the chances of an event occurring, using *foresight*.

With respect to claims 2, 10, and 17, *Gundewar* does not disclose "assigning vote weighting to the decision maker." The Examiner's citation to column 6, lines 56-60 is misplaced, as *Gundewar* does not disclose the claimed element.

Similarly, with respect to claims 8 and 22, *Gundewar* does not disclose "providing security information from the project creator." Indeed, *Gundewar* never so much as discusses security, other than at column 7, line 52-55 "For example, project repository module 20 may be configured to allow access to a particular procedure in response to an asserted user identification and security string." Thus, *Gundewar* does not disclose providing security information from the project creator, but rather, receiving security information from a user.

Further, claims 2-8, 10-15, and 17-22 depend directly or indirectly from claims 1, 9, or 16 respectively, and are therefore patentable over the prior art for at least the same reasons.

Withdrawal of the rejection of claims 1-22 under U.S.C. §102(e) as being anticipated by *Gundewar* is therefore respectfully requested.

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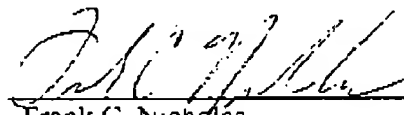
CONCLUSION

The Applicant respectfully submits that claims 1-22 as listed herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully Submitted,
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